

REMARKS

Claims 1-25 are pending and under consideration. In the non-final Office Action of March 9, 2005, the Examiner rejected claims 1-25 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Himmel* (U.S. Patent No. 6,167,441). Applicants respectfully traverse the rejection and address the Examiner's disposition below.

The specification has been amended at page 1 to correctly state that European priority Application No. 00128221.9 was filed on December 22, 2000. The correct filing date is indicated on the Applicants' Declaration, which was filed at the time of filing the present application.

Claims 1, 11, 21, 24, and 25 have been amended to clarify that the client capability is obtained from a source other than the client.

Claims 6, 12, 22, and 23 have been amended to correct informalities.

Claims 3-5, 7, 13-15, and 17 have been canceled.

Independent claims 1, 11, 21, 24, and 25, each as amended, each claim subject matter relating to obtaining a client capability of a client from a source other than the client responsive to determining to download a web page to the client. In an illustrative, a web server obtains information about a client's browser settings from a database on another server system prior to downloading a web page to the client.

This is clearly unlike *Himmel*, which fails to disclose or even suggest obtaining a client capability of a client from a source other than the client. *Himmel* describes several ways to obtain information about a client's capabilities from a client, however, nowhere does *Himmel* even suggest obtaining a client capability from a source other than the client. *Himmel* teaches that a client capability is obtained 1) in a request message received from the client, 2) from an applet running on the client, or 3) in a form that is received from the client and that has been filled in by a user at the client. Nowhere does *Himmel* even suggest that a client capability can be obtained from a source other than the client, such as a secondary storage on the web server or another server.

Therefore, for at least this reason, *Himmel* fails to disclose or suggest claims 1, 11, 21, 24, and 25.


Claims 2, 6, 8-10, 12, 16, 18-20, 22, and 23 depend directly or indirectly from claim 1, 11, or 21 and are therefore allowable for at least the same reasons that claims 1, 11, and 21 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1, 2, 6, 8-12, 16, and 18-25 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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